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"Identity Monarchy": Interrogating Heritage for a Divided Malaysia

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Malaysia, it has been observed, is currently experiencing a "revival" of "Malay kingship" with the growing importance of "proactive and participating constitutional rulers." In fact, modern Malaysia has since independence been characterized by monarchy—by a multiplicity of Rulers and elaborate royal ceremony and hierarchy—as well as by its "plural society." But the modern monarchs—though they have never become quite "constitutional Rulers"—cannot be seen as merely "traditional," because the institution of monarchy was transformed in a fundamental way during the British colonial period.

Monarchy continues to be an underexamined feature of the Malaysian polity, and when it is discussed there is a tendency to focus on issues of power and to neglect its sociocultural role. One pre-colonial dimension of monarchy that continues to be significant today—though in a manner less psychologically profound than before—is its identity-giving role. The principal concern of this article is to determine—through a process of hermeneutic retrieval—if this role is merely relevant to the Malay community, or does it possess more inclusive possibilities? Are the Rulers of Malaysia essentially "Malay Rulers" or has the institution a nation-building potential that has so far not been fully utilized? The question is important for a country that many see as becoming increasingly divided.

Keywords: monarchy, identity monarchy, Malay Rulers, Malaysia, ideology, baseline knowledge, race paradigm, hermeneutic retrieval

In the lead-up to dramatic protests in Kuala Lumpur on the week-end of July 9–10, 2011, the Malaysian King, Sultan Mizan Zainal Abidin, Sultan of Terengganu, surprised some commentators by issuing a statement (a "*Titah Khas*") that seemed to call on the Government as well as the Opposition to step back from open confrontation. He "urge[d] the government to carry out everything that is entrusted to it by the people in a just and wise manner. . . ." The royal statement was a surprise for those who take for granted that the monarch "rarely speaks . . . and those speeches or statements are written by the govern-

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ment of the day" (*Malaysian Insider*, November 4, 2011). Malaysia, it tends to be assumed, has an essentially "constitutional monarchy"—the Constitution (in the words of the standard text *Politics and Government in Malaysia* by Milne and Mauzy) "binds the King very strictly" and he must act on the "advice of the Ministers" just as the British Queen has to do (1978, 243, 37). But how confidently can we speak of a "Westminster monarchy" in Malaysia? How best can we describe the role of this monarchy? The question is not merely of constitutional importance. When we stand back to ask what characterizes Malaysia internationally today it is not only the country's classically plural society. Monarchy—with the structure of prerogatives, ranks, ceremonies and social behavior that accompanies not one but nine Rulers—is also a striking feature.

Striking, yes, but modern Malaysian monarchy has received very little attention in studies of Malaysian politics and society—certainly in comparison with the analytic handling of monarchy in Thailand (Peleggi 2002; McCargo 2005; Handley 2006). Is it time, it can be asked, to make greater effort to factor in Malaysian monarchy? A recently-published survey of the history of "Malay Kingship"—Kobkua Suwannathat-Pian's *Palace, Political Party and Power* (2011)—presents a case for doing so, and for believing that the King's July 2011 intervention is part of a larger pattern. Kobkua, who has written previously on Thai kingship (2003), argues that there is at present a "socio-political revival" of "Malay kingship" (Kobkua 2011, xxii), with the growing importance of "proactive and participating constitutional rulers" (*ibid.*, 391). She writes of a royal "rejection" of the idea of the "Westminster-style constitutional monarch" and the call for "another type of constitutional monarchy"—a monarchy that is "akin to the concept and practice of the Southeast Asian monarchy perfected by the Ruler of Thailand since the 1970s" (*ibid.*, 408).

Kobkua's account, useful as it is, requires (in my view) certain qualifications. First, as I have spelt out in some detail elsewhere (Milner 2011c, 14–23), there is nothing really new about this royal activism. Rulers played a larger role than is often recognized in the process leading to Independence in 1957 (and the Independence Constitution), and have been active political players since that time—in certain cases attracting strong criticism (see, for example, Muaz 2009). They have exercised power and influence—but my second qualification is that Kobkua and others have been rather too focused on issues of power. The significance of monarchy—and the way that significance has changed over time—is of course a topic that reaches well beyond Malaysian studies, attracting cultural anthropologists and historians of ideas as well as political scientists. One lesson from this academic analysis is that a distinction needs to be made between royal power and monarchy's socio-cultural role, and that it can be unwise to dismiss that role as something of merely antiquarian interest. Another important distinction is that between the individuals who serve as monarchs and the institution itself. Some Rulers in Malaysia are

more popular than others; some have been more interventionist in the political process; several Sultans have been criticized for their business dealings or religious decisions rather than (or in addition to) their political initiatives. My concern in this article is with the institution of monarchy, and the possibilities it may offer.

In Malaysia, where there is deep social division, an issue of importance is whether aspects of the institution's socio-cultural role—dating back to pre-colonial history—have the potential to assist the building of a sense of national community. It is well known that this task continues to be an urgent priority in Malaysia, and various forms of monarchy have had a unifying influence in other parts of the world—including, perhaps most notably, in Japan. In considering such a unifying role, a critical matter—to put it succinctly—is whether Malaysians should be thinking more in terms of "monarchy" rather than "Malay monarchy." Here we confront directly the greatest ideological challenge that the country faces: the task of bonding such a racially-divided nation, especially with its sharply-defined "Malay," "Chinese" and "Indian" communities.¹⁾ If Malaysians are open to the probing of their political heritage of ideas—to engaging in a form of hermeneutic retrieval²⁾ to assist in fashioning (or refashioning) institutions for the future—the question might be asked: must Malaysia's "identity monarchy" serve only the Malay community, or are there historical grounds for believing it has the potential for a wider social reach?

Identity Monarchy

Countering Kobkua's stress on the novelty of royal activism, I have noted (Milner 2011c) the observation in the 1980s from former Lord President Raja Azlan Shah that it is "a mistake to think that the role of a King, like that of a President, is confined to what is laid down by the Constitution. His role far exceeds those constitutional provisions" (Azlan Shah 1986, 89). The legal scholar, H. P. Lee reinforced the point when he explained that, like it or not, the "constitutional system in Malaysia" simply does not "accord with present-day notions of parliamentary democracy" (1995, 37). But the references in both these cases, it seems to me, reach beyond issues of power and influence. When Malaysia's former senior judge, Mohd. Salleh bin Abas, calls the King—the Yang di-Pertuan Agong—"a symbol of unity" (1986, 4), or we encounter the often-cited maxim "the Ruler

1) The Institute of Malaysian and International Studies (IKMAS) at the Universiti Kebangsaan Malaysia is currently engaged in a project examining the history and possible future role of the race societal paradigm in Malaysia. The project is also concerned to identify elements in the Malaysian historical heritage of ideas that might be deployed in countering the race paradigm.

2) This phrase arose in a stimulating discussion with Philip Koh.

and Subject can never be divided,” there is a suggestion of the identity-reinforcing role which monarchy often played on the Peninsula and Archipelago in the pre-colonial period. It appears to be there too when former Prime Minister Tunku Abdul Rahman argued that “without the protecting influence of these Rulers the Malays would lose whatever semblance of belonging they might have in the land of their birth . . .” (cited in Kobkua 2011, 264n).

Kobkua seems to allude to the socio-cultural role of monarchy—for instance, when she refers to “the foundation of traditional Ruler-subjects relations” having “survived . . . under the British residential system” (*ibid.*, 114)—but takes the analysis little further. Nor does she investigate the transformation of the institution of monarchy during the colonial period. Her analysis is cast mainly around matters of power. Yet academic analysis over the last few decades has reminded us of the social and cultural dimensions of monarchy in Southeast Asia and elsewhere in the world—stressing in some cases that even when the Ruler himself/herself may seem weak, the royal institution can be vitally important in the life of the community (e.g. Geertz 1971; 1980; Milner 1982; Thongchai 1994; Fujitani 1998; Drakard 1999; Cannadine 2001; Day 2002; Peleggi 2002; Bellah 2003). The Emperor of post-Meiji Restoration Japan, for instance, lived “above the clouds”—leaving others to exercise “real power”—but he was also understood to be the “axis of the state” (Bellah 2003, 34–35; Fujitani 1998, chapter 6).

In the Malaysian case, on the eve of colonial rule the sultan’s role in his state did not stress “the exercise of pre-eminent power” (Gullick 1965, 44; Milner 1982). The character of this pre-modern kingship, as I have suggested, may have some relevance to modern Malaysia, but it is also important to stress the far-reaching change that has taken place in Malaysian monarchy over the last 200 years. It is misleading to speak of monarchy today as a “traditional institution.” Let us consider just a few dimensions of the kingship or kingdom that operated on the Peninsula in say, 1800. Although in certain cases Rulers did give the impression of exercising considerable power, Malay writings in particular suggest that it was the social and what we might today call the psychological significance of monarchy that was fundamental. The word that most approximated to “kingdom” was “*kerajaan*,” and it meant literally “the condition of having a raja.” The Ruler was the linchpin of the community—and this would appear to have been the case in both the Islamic period or in the earlier, Buddhist polity (Wolters 1970, chapter 8; Milner 1981). He was the head of religion in his community; custom (*adat*) was said to rest “in his hands.” The laws of the polity were seen to “come down to us” via the ruling family (Milner 2002, 148). The polity’s “historical” writings constructed the past in the idiom of “the raja” and his genealogical heritage. The subject—the *rakyat*—seems to have been conceptualized almost as a part of “the Raja.” A community without a Ruler

was said to be in a condition of utter confusion (*huru hara*). The maxim "the Ruler and subject can never be divided," it could be argued, possessed a literal truth within the old *kerajaan* ideology (Gullick 1965; Milner 1982; 2011a, chapter 3).

This observation is underlined too when we consider that the Ruler was presented as a Ruler—a focus of community and identity in himself—not the "Ruler of a state," a territorially-defined state. He did not describe himself in his letters, for instance, as the "Sultan of Perak." The *rakyat* was the subject of a Ruler not a State. The *kerajaan* was conceptualized in terms of the personal relationship between Ruler and *rakyat*—not Ruler and a specific race—and foreigners were often surprised by how uninterested Rulers seemed in the physical dimensions of their "kingdom." In this *kerajaan* paradigm—for all its lack of stress on geographic definition—the various hierarchical relations between Ruler and subject were carefully defined in the position a subject took at ceremonies or the clothes he or she wore. Status was determined in relation to the Ruler, and some court writings convey the assumption that status in this world (*nama, pangkat*) could influence one's fortunes in the hereafter (Milner 2011a, chapter 3; Ahmat Adam 2009).

Such Rulers have been denigrated by outsiders—and by historians—for their preoccupation with mere ceremony (see citations in Milner 2002, chapter 1). This observation conveys a total misunderstanding—as does the downplaying of the significance of ceremony in a good deal of "invention of tradition" writing (Hobsbawm and Ranger 1983). If we understand ceremony as the defining of the status of the subject—the marking out of hierarchies—then it was fundamental to the *kerajaan*, as important as the policing of territorial borders and state citizenship today. A Ruler's involvement in ceremony was in fact called his "work" (*kerja*), and the correct performance of ceremony (including the naming, addressing and positioning of a Ruler's subjects) was a vital concern. It is not surprising that the court texts of the old kingdoms often praised a Raja in terms of his perfect manners, his refined speech—his capacity to treat people appropriately (Drakard 1990, 78; Milner 1982, 41). Also, in the reported negotiations (in the "Malay Annals") between a famous Ruler and his new subjects, the specific request made by the latter is that they should never be "reviled with evil words" (Winstedt 1938, 56–57). This concern for ceremony (and language), then, is far more than theatre. When the anthropologist, Clifford Geertz employed the expression "Theatre State" (1980), he was successful in capturing how a *kerajaan*-type polity could appear to an outsider. "Theatre" is a useful metaphor. But from the inside, the *kerajaan* was about something more earnest than theatre: today we might say it was about "identity."

The concern for ceremony—for the public defining and ordering of the Ruler's subjects—also had implications for economic life. Within a *kerajaan* hierarchy, material wealth had to be aligned with status. Sumptuary laws controlled the way people of one

status or another might be housed or clothed. Wealth was conceived as flowing from the Ruler, as a product of patronage. Wealth was not seen as an end in itself, but one way of accumulating subjects. In this “*kerajaan* economics,” the accumulation of independent, private wealth was perceived by the royal court as a political threat, and was necessarily discouraged among the Ruler’s *rakyat*. It is thus not surprising to find that sultans were often described by foreigners as the great traders in their polities, or that foreigners sometimes complained about the “plundering” of would-be rich subjects by the “Raja’s men.” They did not understand that the aligning of status and material wealth in the *kerajaan* was a duty of the Ruler (Milner 2003b).

When we think about the kingdom or *kerajaan* of 1800 in these terms, it seems to me that it is just not tenable to assert, as Kobkua does, that “the foundation of traditional ruler-subjects relations” was maintained during the colonial period; or to stress, as Roger Kershaw has done, “the importance of continuity of the monarchy itself” (2001, 18; see also Roff 1994, 256; Muhammad Kamil 1998, 314). Elements survived—and these deserve careful attention; but the *ancien regime* came under sustained attack, and the royal courts themselves undertook far-reaching, ideological renovation. I have written in the past about this transformation of Malaysian monarchy (Milner 2003a)—and about the importance of acknowledging the occurrence of epistemic rupture in Malaysian and other history (2002)—but should emphasize here that the British brought to the Malay Peninsula powerful new concepts of state, government, race, progress, time and so forth. They endorsed a new, colonial knowledge—and this knowledge project has attracted scholarly interest (e.g. Hirschman 1987; Shamsul 1998; Milner 2002). Within a few decades the royal courts were employing the new thinking to remodel the sultanate. In Johor and Perak, for instance, they began to constitute “the state” as a specific territorial entity. Surveying or mapping of territory was important in this and was described as a novel enterprise in court-related writings of the time. In Johor a state constitution was created (in 1895), and an interesting aspect of this text is the way it translates “constitution” as “*undang-undang tuboh kerajaan*.” The word “*tuboh*” conveys “body, in the anatomical sense.” The constitution seems therefore to be conceptualized as giving “body” to the *kerajaan*, and presumably the “State of Johor.” In this way it becomes possible to think of “the state” as an entity independent of the Ruler—a truly revolutionary transition, at least from the perspective of the old *kerajaan* ideology (Milner 2002, 215–216).

In such a “state” the Ruler could no longer be constituted as the linchpin, the center around which all else is articulated. The ceremonies that defined the Ruler-subject relation also had to lose some of their urgency. In certain ways ceremonies were actually elaborated during the colonial period (partly under the influence of British royal practice) (Gullick 1987, 33, 347; 1992, 236), but they could not have the meaning they once pos-

sessed. It cannot be said (as Kobkua has done) that the Rulers maintained their position "at the very centre of all aspects of life in the state" (Kobkua 2011, 85–86). One Malay author in 1925, for instance, noted that "nowadays the royal ceremonial and sumptuary regulations are fading" (cited in Milner 2003a, 183). The Ruler's "work" was to move into new areas: he began to be praised in new ways, judged for the contribution he made to his "State." In texts from early twentieth-century Johor and Perak, Rulers were now complimented for introducing "modern" institutions, for "modernizing education," for "improving the lives" of their subjects, for caring for the different races in their State, and for helping to unite the Malay race. They were praised for being "careful and conscientious" in their administration. Such key terms or expressions as "government," "modernity," and "administrative diligence and energy"—and soon "development" and "progress"—began to contribute to a new royal discourse, and to challenge the dominance of a language concerned largely about ceremonial, custom, language, manners and status (Milner 2003a; 2002, chapters 8 and 9).

As represented in the new royal court writings, the Rulers of the late nineteenth and early twentieth century were impressive administrators and often subtle diplomats. They were reformers, claiming leadership of their State community (with its component races) in a time of challenge—a time when the Rulers had to deal with British administrative and ideological demands, new religious thinking from the Middle East, and increasing immigration numbers. There is a suggestion here of a performance-based monarchy—some texts from royal courts (including coronation memento albums) could now be read almost as election manifestos (Milner 2003a). These new Rulers, the product of a fresh epistemic era, may not have had the same pivotal, ideological role in their subjects' lives and mentality as their *kerajaan* predecessors possessed. But in considering Kobkua's claim that there is currently in Malaysia an attempt to "revive the monarch's role"—giving Rulers "active participation in the affairs of the nation" (Kobkua 2011, xxiii)—the story of the reconstruction of Malayan monarchy during the colonial period is vital. To a significant extent the new "participating constitutional monarchs," whom Kobkua describes as gaining support today, are the heirs of the colonial-period new Rulers at least as much as of the "traditional" rajas or sultans of 1800.

To use the word "traditional" in reference to Malaysian monarchs today is therefore misleading, but we can ask whether there are ways in which that old *kerajaan* ideology continues to be relevant to modern Malaysia? This question touches on the issue of whether "colonial knowledge" is in fact the real "baseline knowledge" for modern Malaysia (Shamsul 1998, 49), or do some concepts from the pre-colonial era remain potent? The historian, Muhammad Yusoff Hashim, has suggested that the "element of spirituality" in royal sovereignty today only exists "as a belief amongst a small section" of the

community (1992, 281). Few are likely now to fear the supernatural wrath of the Ruler's *daulat* (power). But when Tunku Abdul Rahman wrote of the "semblance of belonging" which the Rulers continue to give their people, then we do get a sense of the 1800 Ruler as linchpin, holding a defining role in his community. We do so again, when the Raja Muda of Perak refers today to the unifying role of monarchy, and its capacity to provide a sense of historical identity and continuity (Smith 2006, 134; Kobkua 2011, 384). I shall return to the issue of precisely how unifying that identity-monarchy role could be.

The influence today of the old *kerajaan* ideology, as has often been remarked, extends beyond conceptualizations of monarchy *per se*. What is sometimes termed feudal thinking has been seen to influence attitudes to political authority in general. Syed Hussein Alatas (1972), Chandra Muzaffar (1979), Shaharuddin Maaruf (1984) and Clive Kessler (1992)—all pioneers in this line of investigation—have examined the impact of royal "tradition" in shaping attitudes toward loyalty, "followership," heroism and ceremony. In my own work I have been interested in the influence of old *kerajaan* ideas on current Malay approaches to entrepreneurialism, so-called money politics, top-down political leadership, the concept of the "plural society," and the manner in which the idea of the "Malay race" (the "*bangsa Melayu*") has been propagated as a focus of identity and loyalty (Milner 2011a, chapters 7 and 8; 2003b; see also Johnson and Milner 2005). The continuing importance of reputation (*nama*, and related terms) in Malay thinking seems also to warrant closer attention (Karim 1992, 7).

In the case of modern monarchy itself, the old *kerajaan* influence is to be encountered naturally in the continued prominence of royal titles and royal ceremonies in Malaysia—by most international standards, this country really is marked by an elaborate monarchialism—but perhaps most of all, as I have indicated, in the depicting of Rulers as a focus of identity and community. While Salleh Abas has spoken of the King as "a symbol of unity," the Ruler of Pahang has been described as a "symbol of the unity of the people" of his State (Shariff Ahmad 1983, xvii, 32). "Symbol" (*simbol*) is of course a relatively new word, and its use here is a reminder of how far removed we are today from the *kerajaan* of 1800. The *kerajaan* Ruler of that time was not conceived a "symbol"—his claim was to be the real basis of unity, the actual center around which all else was articulated. But the claim to promote symbolic unity is still a strong one—potentially much more powerful, one might suggest, than the more recent heritage of the colonial-period administrator Ruler. The question we turn to now, however, is how comprehensive is the unity which the Ruler might be expected to promote in his role as an "identity monarch"? It can be argued, in my view, that the *kerajaan* ideology was race blind: on this basis it makes sense to go on to ask whether modern Malaysian monarchy has drawn upon—or could draw upon—that aspect of the old tradition?

"Malay Rulers" or "Rulers"?

Time and again we encounter the words "Malay Rulers." Kobkua uses the expression herself in the title of her book. But although she often points to the specific role of monarchy with respect to the Malay community—and calls the Rulers "the living symbols of Malay sovereignty" (2011, 393)—she does quote the present Sultan of Selangor stressing that "Malaysia belongs to all Malaysians" (*ibid.*, 387); and notes as well the insistence by the Raja Muda of Perak that monarchy has the capacity to give the national community—both Malays and non-Malays—a sense of common identity (*ibid.*, 384). The tension here between "Ruler" and "Malay Ruler," given the anxiety about national unity in modern Malaysia, should not be neglected in the discussion of the ideology of monarchy in this country.

In pre-colonial times, as suggested, there is a case for speaking of "Rulers," although monarchy is very often assumed to be in historical terms essentially "Malay" (for example, Mahathir 2011, 100). It is, in fact, in the British era that monarchy began increasingly to be constituted as "Malay." The term "Malay," as far as I can see, was not actually used by the Archipelago people to describe the range of polities on Sumatra, the Peninsula and Borneo which were so often called "Malay" in the nineteenth and twentieth centuries. I have argued recently that the use of the expression "Malay world" is misleading for the pre-colonial period, and it might be more accurate to speak of a "*kerajaan* world" or the "Archipelago sultanates"—or even the "Malay-speaking sultanates" (Milner 2011a, chapter 4).

As to the would-be Malayness of the rulers themselves, the Melaka royal line claims descent from Alexander the Great; the Sultan of Deli in Sumatra traces his genealogy back to an Indian who had earlier been an official in the sultanate of Aceh; and the Rulers of Pontianak and Perlis possess Arab origins. Even in the clothing they wore, rulers displayed a flexibility regarding ethnic identification. In the early nineteenth century, Johor ruler Husain dressed his sons in "Tamil fashion, wearing wide trousers and Indian gowns" (Abdullah 2009, 275); and Sultan Abdul Hamid of Kedah (1882–1943) "almost invariably wore western-style suites in preference to Malay dress," though on ceremonial occasions he tended to dress in a Siamese-style uniform (Sheppard 2007, 4, 8–9). With respect to high officials in the *kerajaan*, at the opening of the seventeenth century the Dutch Admiral Matelieff reported that a Peguan (from present-day Burma) was one of "the highest councilors" to the Ruler of Kedah (Commelin 1969, 46). An eighteenth-century Kedah ruler had as his "King's merchant," a "deep cunning villainous Chuliah," who was given the title "Dattoo Sri Raja" (Steuart 1901, 15, 18). In mid-nineteenth cen-

tury Kedah the ruler gave a noble title to a Hakka leader, who was “accorded a high place on State Functions” (Gullick 1992, 372–373); later in the century Kedah’s Sultan Abdul Hamid appointed a “well-known and much-respected Chinese businessman” as “State Treasurer,” with a “royal office . . . sited in an extension to the palace” (Sheppard 2007, 4–5). In Pahang about the same time, a “Tamil Indian” was the “treasurer and tax collector” (Gullick 1965, 52), and earlier in the nineteenth century, Johor Sultan Husain had an influential Indian advisor called Abdul Kadir bin Ahmad Sahib, who was given the title “Tengku Muda” (Abdullah 2009, 275).

Subjects of rulers tended to be described just as “*rakyat*” rather than as members of races or ethnic groups. As suggested already, the self-classification “Malay”—used to refer to a trans-sultanate racial unity—is a relatively modern innovation in Island Southeast Asia. Its growing use was particularly influenced by the propagation of European thinking about “race” from the end of the eighteenth century (Milner 2011a, chapters 4 and 5). The term “Malay,” of course, had long been associated with the Melaka polity and the sultanates connected with Melaka, but the idea of a specific “Malay race”—a race with which one identifies, and to which one owes loyalty—was something that emerged primarily in the colonial period. The subjects of the pre-colonial Ruler would in some situations identify with a geographic location, usually a river—calling themselves, for instance, “orang Kemaman” or “orang Muar” (and there are rivers named “Melayu” in Sumatra); but the larger community with which they identified was not a race but a specific *kerajaan*. It was possible to live outside the *kerajaan* entity; and I have suggested elsewhere that the formation of communities from China in particular—communities that lived separately from the Ruler’s subjects, and did not operate by *kerajaan* rules in their social and economic lives—are in a sense a precursor of the “plural society” configuration that was consolidated in colonial Malaya (Milner 2003b). Despite such segmentation, however, the pre-colonial *kerajaan* itself does not appear to have been conceptualized in specifically racial or ethnic terms.

Even in the British period many subjects of rulers on the Peninsula continued to call themselves “Minangkabau,” “Bugis,” “Baweyan” or “Javanese.” Chinese might also be subjects of a ruler at this time (Ratnam 1965, 72; Mohamed Suffian 1972, 207; Emerson 1964, 509). For instance, in a 1931 legal case involving a Chinese man (Ho Chick Kwan), whom the British wanted the Sultan of Selangor to banish, Ho was described as a “natural born subject of the Ruler of the State of Negri Sembilan,” and his adopted mother (Lui Ho) described herself as owing “true allegiance to His Highness the Sultan of Selangor” (Ho Chick Kwan v The Hon’ble British Resident Selangor, criminal appeal no.11 of 1931).

British racializing of the Sultanates was evident even in the early nineteenth century, when the official British presence was limited to Penang. Thomas Stamford

Raffles and John Leiden—at that time planning Britain's future role in the Archipelago—conceptualized the different Sultanates as members of "a general Malay league" that might be placed "under the protection" of a British governor (Raffles 1991, 25). When the British intervened administratively in the Peninsular Sultanates, commencing with Perak in 1874, they identified a special Malay responsibility for the Rulers. The new British advisers—or "Residents"—were to be powerful in some matters, but the areas of "Malay Religion and Custom" were to be left to the Rulers (Gullick 1992, 2). British officials also cooperated with the Sultans in the formulation of policies specifically designed to benefit "The Malay Race in the FMS," to quote the title of a memo written in 1906 (Burns 1971, 5).

Pronouncements from the royal courts themselves in the colonial period, it should be noted, continued to stress the responsibility of the Ruler toward all his subjects. An early twentieth-century Johor text—the *"Hikayat Johor"*—lauds Johor's Sultan Abu Bakar (1885–95) for "looking after the Chinese subjects living in the state." There is also mention of Chinese and Indians welcoming him home from an overseas journey (Mohamed Said 1930, 59, 44). In a later Perak coronation document, again we see a Ruler reaching out to non-Malays, stressing in a speech that he had "not forgotten the help" that "other races in the state" had given "in making Perak wealthy and prosperous." At the coronation itself, not only Malays but also Chinese, Ceylonese, Indians and Japanese made formal declarations of loyalty to the new Ruler. Sultan Abdul Aziz, so the text stresses, "does not distinguish between his subjects" (Milner 2002, 243–244; Lob Ahmad 1940).

In a valuable, left-wing account of British Malaya on the eve of the Japanese invasion, the activist Ibrahim Yaacob referred to a Kelantan Ruler bestowing a prestigious title on a Chinese merchant, and observed that the Johor state council building looked like a Chinese audience hall because it was decorated with Chinese writing. When Ibrahim Yaacob asked what the writing was about, he was told that it recorded the personal service of wealthy Chinese people to the Ruler (Milner 2002, 261). Ibrahim was sympathetic neither to Rulers nor to the influx of Chinese and Indians, whom he saw as pressuring "the Malays" in economic and other areas (*ibid.*, 263). He would have known that Rulers could form alliances with these groups. John Gullick, in his detailed historical research on the Rulers in the colonial period, has described how business activities with both Chinese and Europeans tended to draw Rulers into the "non-Malay, official and business world, which was beginning, by the 1920s if not before, to dominate Malaya" (1992, 213–214, 131n125). Apart from provoking Ibrahim Yaacob, this personal experience would have reinforced a Ruler's sincerity in thanking these "races" for the help they gave to making his State "wealthy and prosperous."

Self-racializing

Despite such royal affirmations of inclusiveness, however, the royal courts were also positioning themselves in one way or another with respect to the “Malay” movement. The “*Hikayat Johor*,” mentioned above, stresses the Sultan’s special concern for his “subjects of the Malay race” (Milner 2003a, 179); the later Perak text indicates the Perak Ruler’s concern about “uniting our race (*bangsa*),” and about the Malays being “left behind” by other races in the development of the Perak state (Milner 2002, 242–243). There is a claim to leadership being conveyed in such statements, and it should be understood in the context of a general royal wariness. The Rulers appear to have understood well that those promoting the *bangsa Melayu* were advocating a focus of identity and loyalty that could compete with monarchy; race also carries an implicit egalitarianism that has the potential to rival the essential hierarchy of monarchy. It is certainly the case that some prominent advocates of race—proponents of the “*bangsa Melayu*”—right back to Abdullah bin Abdul Kadir in the early nineteenth century, were determined critics of specific Rulers and even of the institution of monarchy (*ibid.*, 15; Ibrahim Yaacob 1941, 6, 58).

Not surprisingly the “Malay” movement met royal opposition, as Ibrahim Yaacob’s pre-War survey of British Malaya confirms. Some royal courts, he said, held “firmly to the old feeling and strongly oppose the new desire to unify the Malay people.” In Kedah, members of the ruling elite had opposed the formation of a Malay association on the ground that Kedah “possesses a raja”; in Perak royal opposition initially discouraged the use of the term “Malay” in the name of an association intended to promote unity (Milner 2002, 269–270). In Selangor, there was certainly a “Selangor Malay Association,” but it was led by a member of royalty and was utterly deferential toward the ruler (Smith 2006, 128). Looking to sultanates beyond the Peninsula, D. E. Brown’s study of Brunei notes that sultanate’s suspicion of “ethnic distinctions,” and the insistence that “all indigenous groups enjoyed the common status of subject of the Sultan” (Brown 1970, 4, 9). In mid-twentieth-century East Sumatra it was reported that the *kerajaan* leadership (in such sultanates as Deli, Langkat and Asahan) “never cared for the *suku Melayu*” (the Malay ethnic group), fearing competition from potentially-influential “Malay” associations (Ariffin 1993, 78).

How best then to handle the growing Malay movement? Discourage it, or position oneself in a leadership role? It was in the immediate post-war years, in the struggle against the Malayan Union, that the Rulers were pressed most strongly to identify with the Malay movement. At that time more than ever before, it can be argued, monarchy was racialized. The Japanese Occupation had sharpened further the tension between

"Malays" and "Chinese" in particular, and the movement against the Malayan Union was perceived to be fundamentally "Malay." Kobkua and others have shown that the Rulers were far from passive in the struggle against the British (Kobkua 2011, chapter 4; Smith 1995, chapter 3; 2006), and "*Daulat Tuanku*" ("Power to the Ruler") continued to be a rallying cry (Stockwell 1979, 71). But Cheah Boon Kheng (1988) and Ariffin Omar (1993) have demonstrated how strongly "Malayism" began to compete with monarchy in the process of the Malayan Union debate, and how popular the declaration "*Hidup Melayu*" ("Long Live the Malays") became. While some Sultans continued to take the "Malay" movement head on—the Kedah Ruler, for instance, was determined to "eradicate UMNO influence" from his State (Smith 1995, 176)—the Sultan of Pahang spoke of "we Malays," and the Sultan of Perak declared that he spoke "as a Malay not as a Sultan" (Ariffin 1993, 104).

In the period leading up to Independence, when the Rulers were determined to help shape the constitution for the new nation, they also took pains to advocate a range of Malay causes. They spoke up on such topics as Asian immigration, Malay land reserves, and the protection of Malay economic interests (Kobkua 2011, 149–150, 152). In 1951, during the Malayan Emergency—when the British were concerned to improve the living conditions for Chinese who might potentially join the terrorists—the Rulers warned that "it is very essential to reassure the Malays that they are not being neglected and forgotten" (Smith 1995, 111, 113, 116). In these and other ways the Rulers—in competition with the UMNO leadership—presented themselves (in Kobkua's words) as "credible and respectable champions and guardians of the Malays" (Kobkua 2011, 183).

The 1957 Federal Constitution itself conveys the impression of allocating the Rulers a specific Malay role. In Article 153 (1), the King is given the responsibility "to safeguard the special position" of the Malays (and "natives" of Sabah and Sarawak), and also "the legitimate interests of other communities. . . ." This might appear ethnically even-handed, but public focus has tended to be placed on the Malay dimension—probably because the establishing of the Malay "special position" (with the practical benefits included) is often considered "the most unusual feature of the Malaysian Constitution" (Harding 2007, 120). Important amendments to the Constitution in 1971—following the 1969 riots—reinforced the impression of a privileged Ruler-Malay community linkage. Now it was necessary to have the consent of the Conference of Rulers (which meets regularly and possesses powers outlined in the Federal Constitution) before making a change to the constitutional provisions relating to national language and to the "special position of the Malays" [Article 153 (1)] (*ibid.*, 121–122). It does not assist the inclusiveness of Malaysian monarchy that public discussion of this amendment has emphasized the Rulers' increased responsibility toward Malay interests (see, for example, *Malaysian Mirror*, October 21, 2010); nor is it

helpful—from the point of view of maintaining ethnic neutrality—that press statements on this and other matters, issued by the “Conference of Rulers,” repeatedly refer to the Rulers as “Malay Rulers” (Kobkua 2011, 424–426).

Under the Federal Constitution the Ruler was confirmed as “Head” of the “Muslim religion” in his state, and could “act in his discretion” in performing that role (Sheridan 1961, 4, 73). As not all Muslims in Malaya/Malaysia are Malay, however, this stipulation cannot be defined as essentially ethnic.

The continued racializing—the “Malayizing”—of the Rulers can be seen in many other areas in the post-War public discourse of Malaysia. It takes place when Rulers are described as the “symbol” or “cement” assisting to hold the Malay race together (Ariffin 1993, 53, 102); or (in the 1980s) when Salleh Abas writes of “Malay rulership” as “the nub of Malay custom” (1986, 13). The racializing is happening again in current school history texts, which describe all the old Peninsular sultanates as “*kerajaan Melayu*”—despite the fact that none of the early royal court writings use the phrase (and tend to use the term “*Melayu*” itself with reference only to Melaka and sultanates closely linked with the Melaka ruling family) (Ahmad Fawzi *et al.* 2010, 123, 129; Malay Concordance Project).

In the post-Independence period we have also seen more Malayizing of monarchy on the part of individual Sultans. When the Sultan of Perak spoke in 1946 “as a Malay not as a Sultan,” he had said too that “we are Malays and must not lose our customs and religious practices, which are our prized possessions” (Ariffin 1993, 104). Customs and religion—which in the past, as I have noted, were presented as being “in the hands of the ruler” (Milner 2002, 101)—would now appear to have been recognized by the Ruler himself as being grounded in the “Malay race.” The point is made with even more clarity in a coronation document of 1971 from the royal court of Pahang. Here the Pahang monarchy’s customs and ceremonial—which once would have been of vital importance merely because they were royal customs and ceremonial—are presented as significant because they are a “branch of Malay culture” and a reflection of the “national characteristics of the Malay people (*bangsa Melayu*)” (Anon 1971; see also Milner 2003a, 188–189).

Trans-racial Residue

Although the Rulers are referred to frequently as “Malay Rulers”—even, as I have said, in pronouncements from the Conference of Rulers—it must also be said that the residue of an earlier trans-racial substance has survived in post-Independence as well as colonial times. Looking back half a century, we see this residue when the Rulers favoured a

multilingual system of school education, and not just the learning of Malay and English (Kobkua 2011, 216); it is there again in May 1969 when Chinese people recall that—at a time of acute inter-racial crisis—the Sultan of Trengganu and other Rulers took steps to protect their non-Malay subjects. We see the residue in a different sphere when new Malay “commoner” entrepreneurs express resentment at having to compete in business with Rulers who act through Chinese intermediaries (*ibid.*, 364). There is an important political gesture toward the trans-racial again in a special press statement from the Conference of Rulers in October 2008. Here the Rulers explain that the “institution of the Rulers” is a “protective umbrella ensuring impartiality among the citizens.” The statement explains the Rulers’ “constitutional role” respecting the so-called “Social Contract” between Malays and non-Malays, and assures “non-Malays” that there is no need to “harbour any apprehension or worry over their genuine rights . . .” (*ibid.*, 425–426).

Indications of even-handedness in politics or business are one matter, but in what ways does the institution of monarchy itself continue to be racially-blind? The fact that the Federal Constitution uses the term “Rulers” not “Malay Rulers” (though the present-day Constitutions of the different States require Rulers to be “Malay”) (Legal Research Board 1998) seems significant. It is also a positive sign when a Sultan is described by his supporters—in the case of Pahang—as a “symbol of the unity of the people (*rakyat*)” (and not just the Malay race, or *bangsa*) (Shariff Ahmad 1983, xvii, 32); or, in the case of Kelantan, as the “umbrella sheltering” the people (*rakyat*) (Mohd. Zain Saleh 1987, 14; also, in Perak, Nazrin Shah 2011). The term *rakyat*—used again by the Sultan of Selangor when he speaks of his State’s “citizens, regardless of ethnic background and faith” (*New Straits Times*, January 7, 2011)—may convey to some a memory of “feudal” times, but it is without doubt racially inclusive. It is stressed in the pronouncements of the current Malaysian government, particularly at times when the “1Malaysia” vision is being spelt out (*Berita Harian*, December 6, 2010), and achieved enough conceptual distance from the hierarchy of the *kerajaan* to be employed in the titles of the democratic socialist party, the Partai Ra’ayat (People’s Party) (founded 1955) and the Opposition Parti Keadilan Rakyat (People’s Justice Party), established in 2003.

Here we might return to the matter of ceremony—which is also difficult to detach from the Raja: Rakyat binary. In pre-colonial times ceremony—titles, sumptuary laws, elaborate and lengthy public ceremonies—was vital in defining the *kerajaan* polity and community, giving each person a place with respect to the royal hierarchy. Today, policing on the part of the immigration and citizenship administration of the bordered state is critical in determining membership of the national community. Nevertheless, as observed already, the Malaysian community continues to be characterized by formalized

hierarchy and public ritual. Nine Rulers, an elaborate structure of Tun, Tan Sri, Dato' Sri and Dato' rankings, and vast numbers of lower awards and medals—such an array of titles and distinctions, combined with an immensely busy calendar of public occasions and celebrations at Federal and State level, all convey this strong “monarchialism.” And just as the word “*rakyat*” conveys both hierarchy and inclusiveness, so the royal ceremony has a capacity to bond.

The birthday celebrations for the different Rulers are a time when we see some evidence of the continued trans-racial character of monarchy. Thus, at the Sultan of Perak's Celebration in April 2011 the recipients of the high honors included a leading businessman whose father was Goanese and a wide range of Chinese and Indian people—from academia, the media and the arts, as well as the business community (Sagaran 2011). The ceremony on such occasions, so many would object, is considered today to be distinctly “Malay,” and thus by no means race-blind—and the fact that this objection is widely held, it must be admitted, has to damage the potential bonding capacity of monarchy. There is confusion here, however, as the discussion in this article should indicate. The argument that monarchy—the *kerajaan*—is a “branch of Malay culture” is relatively recent. Historical analysis suggests that the *kerajaan* (including its ceremony)—with its complex combination of Islamic and pre-Islamic features—precedes the development of Malay ethnic consciousness, and the argument could be made that it still has the potential to transcend racial sentiment and identity today.

The “bonding of the nation,” as is well known, is an urgent issue in Malaysia, where racial or ethnic communities have often attracted more loyalty than the state itself. Over the years there have been numerous attempts to counter the race paradigm—the project to create a “People's Constitution” in the 1940s; Lee Kuan Yew's advocacy of a “Malaysian Malaysia” in the 1960s; Mahathir's suggestion of a single “Malaysian people,” a “*Bangsa Malaysia*”; and so forth. The current Opposition party, Parti Keadilan Rakyat (People's Justice Party) seeks to go beyond race; the Government also seems to want to do so when it speaks of “1Malaysia.” One attempt after another, however, seems almost inevitably to become entangled in racial or communal politics.³⁾ Frustrated in planning ahead, it is not unusual to reach back for assistance from the past. In interrogating the historical heritage of ideas of Malaysia, searching for concepts that might be appropriated in planning a more inclusive national community, the old *kerajaan*—the historical foundation for an “identity monarchy” that would still seem to possess a degree of potency today—does appear to be a societal paradigm that has a claim to attention. In the last century, although monarchy has become embroiled in race issues, it contains an ideo-

3) See footnote 1).

logical residue—if we can disassemble ideology in that way—that is racially inclusive or, perhaps more accurately, racially blind.

Conclusion

In her recent book, Kobkua has written interestingly of a "socio-political revival" of "Malay kingship" but has focused most of all on the political, stressing fluctuations in royal power over the years. Malaysia, it is true, is characterized in part by its monarchialism—it has been so since Independence, and the phrases "Westminster monarchy" or "constitutional monarchy" do not quite fit. In my view, however, it is most of all the social and cultural construction of Malaysian monarchy that has been under-examined, and we need to investigate this dimension in a "history of ideas"—or a history of ideology—that reaches back beyond the colonial era.

As an institution the modern monarchy is fundamentally different from the *kerajaan* polity of some 200 years ago, and the current Rulers are the heirs of the performance-based administrator royals of the colonial period as much as (or more than) of the pre-colonial "traditional" Sultans. Nevertheless, there would seem to be advantages in examining ways in which the old *kerajaan* might have significance for current Malaysia. It should be said at the outset that reaching back to pre-colonial times to consider the possible current relevance of the historical heritage, the importance of the *kerajaan* ruler would not appear to rest on the wielding of administrative power. With this in mind, an exercise in hermeneutic retrieval is unlikely to provide much ideological justification for the enhancement today of royal authority in day-to-day government administration. One avenue that could prove more profitable in a project of retrieval would involve a close examination of the way pre-colonial Rulers provided religious leadership. This would seem to be a neglected field of historical investigation, and a recent visit to Morocco—where the King's current and historical role in the religious life of the community seems to be profound—encourages me to suggest the advantage of examining Malaysian historical materials in a comparative context.

Considering the way current Malaysian deliberation has focused on the country's deep social divisions, however, it is perhaps the identity-giving function of the pre-colonial ruler—as the linchpin of his community in a fundamental sense—that adds most substance to monarchy's claim to present-day relevance. When one prominent royal spokesman referred in recent times to the monarchy's capacity to provide "social glue" (Nazrin Shah 2004, 6), he invoked a continuing theme in this country, reaching back to the earliest Malay-language records. But do we need to think of "identity monarchy" only

with reference to the Malay community? My first concern here, of course, is not with how individual Sultans have behaved toward one ethnic group or another but with the ideology of monarchy.

The final section of this article considers whether there is historical support for believing the unifying role of kingship has the potential to transcend ethnic division—and here I suspect my analysis has diverged somewhat from the current majority view. Malaysia's monarchy, it can be argued, is not in historical terms an essentially "Malay" institution. Its specifically "Malay" character is a product primarily of the colonial period and the decolonization process. The *kerajaan* of pre-colonial times was not racially defined—and we get a hint today of this characteristic of the old institution when the term "*rakyat*" is used to describe "the people" in political rather than racial terms, and when ceremonies and pronouncements of the reigning Rulers continue to incorporate members of all ethnic groups. Focusing on the race-blind character of the precolonial institution, we have the opportunity to recover something of the old royal tradition which might be employed on behalf of the "bonding of the nation." Exactly how it could be employed is a topic that would require a separate analysis, but in Japan, the United Kingdom and elsewhere we encounter useful case studies, and they suggest that where monarchy offers a nation "social glue" this does not necessarily entail a shift of personal power toward individual monarchs. Given the current Malaysian government's stress on identifying ideological substance that might support a "1Malaysia" vision, an attempt to find an effective and politically safe way to harness the *kerajaan*'s ideological strengths would seem warranted.

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